

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
vs.)
)
LAWRENCE WILSON,)
)
Defendant.)

8:08CR126

ORDER

Defendant Lawrence Wilson (Wilson) appeared before the court on April 2, 2012, on the Petition for Warrant or Summons for Offender Under Supervision (Petition) (Filing No. 47). Wilson was represented by Assistant Federal Public Defender Julie B. Hansen and the United States was represented by Assistant U.S. Attorney Russell X. Mayer. Through his counsel, Wilson waived a probable cause hearing on the Petition pursuant to Fed. R. Crim. P. 32.1(a)(1). There is probable cause Wilson has violated the conditions of his supervised release and he should be held to answer for a final dispositional hearing before Chief Judge Laurie Smith Camp.

The government requested detention pending the final dispositional hearing. Wilson requested a detention hearing be scheduled. Accordingly, a detention hearing was scheduled for 9:30 a.m. on April 11, 2012.

Wilson appeared before the court on April 11, 2012, with his counsel, Ms. Hansen. The United States was represented by Assistant U.S. Attorney Russell X. Mayer. The court took judicial notice of the Petition and the Adjustment Report (Filing No. 49). Wilson proffered through counsel he would comply with the conditions of his supervised release and keep his probation officer apprised of his residence and employment. It is Wilson's burden under 18 U.S.C. § 3143 to establish by clear and convincing evidence that he is neither a flight risk nor a danger to the community, I find he has failed to do so. In light of Wilson's previous criminal record including the circumstances of the current violations, the court finds Wilson to be both a flight risk and a danger to the community. Wilson should be detained pending a dispositional hearing before Chief Judge Smith Camp.

IT IS ORDERED:

1. A final dispositional hearing will be held before Chief Judge Laurie Smith Camp in Courtroom No. 2, Third Floor, Roman L. Hruska U.S. Courthouse, 111 South 18th Plaza, Omaha, Nebraska, **at 10:30 a.m. on May 3, 2012**. Defendant must be present in person.

2. Defendant Lawrence Wilson is committed to the custody of the Attorney General or his designated representative for confinement in a correctional facility;

3. Defendant shall be afforded a reasonable opportunity for private consultation with defense counsel; and

4. Upon order of a United States court or upon request of an attorney for the government, the person in charge of the corrections facility shall deliver defendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding.

DATED this 11th day of April, 2012.

BY THE COURT:

s/Thomas D. Thalken
United States Magistrate Judge